

**BUREAU OF ENVIRONMENTAL REMEDIATION/REMEDIAL SECTION  
GUIDANCE  
PUBLIC INFORMATION PROGRAM**

**BER POLICY # BER-RS-002**

**DATE: 1993**

**PAGES: 3 with attachments**

**Section Chief:**



**Date:** 02/29/05

**Bureau Manager:**



**Date:** 12/30/05

***REVISIONS***

**Reviser:**

**Date of Revision:**

***ORIGINATOR***

**Originator:** Rachel Miller

**Date:** 1993

**BUREAU OF ENVIRONMENTAL REMEDIATION/REMEDIAL SECTION  
GUIDANCE  
PUBLIC INFORMATION PROGRAM**

**BER POLICY # BER-RS-002**

**DATE: 1993**

**PAGES: 3 with attachments**

**BACKGROUND:**

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) in 1985 define the minimum requirements for community relations' activities at Superfund Sites. (NOTE: These requirements should also be followed for KDHE-lead sites strictly complying with the NCP.) As a result of the requirements defined by the NCP, USEPA has developed a guidance document titled, "Community Relations in Superfund" (OSWER Directive 9230.0-3B).

This policy establishes the procedures to be followed by Remedial Section staff for implementing a **Public Information Program (PIP)** at non-NPL, KDHE-lead sites.

**POLICY:**

It is KDHE's goal to establish standard and consistent procedures for implementation of a PIP at contaminated sites. The purpose of a PIP is to: 1) establish guidelines for planning and implementing public relations activities; 2) allow the public an opportunity to comment on and provide input to technical decisions, 3) inform the public about on-going activities; and 4) focus on issues related to the site and resolve any issues of conflict.

KDHE in cooperation with the Potentially Responsible Parties (PRPs) shall be responsible for implementation of the PIP. At a minimum **all** contaminated sites being worked within the auspices of the State Cooperative Program (Corrective Action Process) **will have** a PIP. Other state-lead sites not a part of the State Cooperative Program **may** follow a similar PIP plan. The Bureau Manager and/or Section Chief will determine the need and scope of public relation activity for sites outside the State Cooperative Program.

**PROCEDURES:**

NOTE: All news releases and announcements must be coordinated through The Office of Government and Community Relations as described in Secretary's Policy 93-003.

A. Pre-Investigation

- 1) During the negotiation of the Consent Order, the KDHE project manager in cooperation with the PRPs shall develop a Public Relations Strategy. The Public Relations Strategy shall be written in the format outline in attachment 1. The Public Relations Strategy shall be no longer than one page.
- 2) The objective of the Public Relations Strategy is to establish the activities and tentative schedule for the PIP.

B. Investigation Stage

- 1) An announcement (see example as attachment 2) or news release should be published in a major local newspaper declaring the Consent Order and initiation of the field work Preliminary Investigation (PI), Comprehensive Investigation (CI), Corrective Action Study (CAS) and/or CI/CAS. The Project Manager, Section Chief, Bureau Director, Director of Environment, Public Information Officer or Director of Office of Government and Community Relations, must approve the news release.
- 2) KDHE and/or the PRP may determine the need of an availability session prior to implementation of the PI, CI, CAS and/or CI/CAS. The availability session shall follow the format in attachment 3.
- 3) KDHE may determine that periodic availability sessions are needed to update the public during the PI, CI, CAS and/or CI/CAS.

C. Corrective Action Decision

KDHE after preparation of the Draft Corrective Action Decision (CAD) shall conduct the following community relations activities:

- 1) Publish a news release or announcement proclaiming the availability of the Draft CAD for public review in a major local newspaper.
- 2) Provide 30 calendar days, for submission of oral and/or written comments on the Draft CAD including the Comprehensive Investigation (CI), Corrective Action Study (CAS) and supporting documentation.
- 3) Provide the opportunity for an availability session to be held during the public comment period. The location of the availability session must be held in a public facility (i.e. school, library) near the site.
- 4) Prepare a written summary of comments submitted during the comment period. KDHE shall provide a written response to each comment.

5) A summary of the Final Corrective Action Decision shall be published in a minimum of one major newspaper within the region and the Kansas Register.

D. Remediation Stage

1) A news release (see attachment 3) should be published in a major local newspaper announcing the signature of the Consent Order and initiation of Corrective Action (CAP/CA). The Project Manager, Section Chief, Bureau Director, Director of Environment, Public Information Officer or Director of Office of Government and Community Relations, must approve the news release.

2) KDHE may determine that periodic news releases and/or announcement are needed to update the public during the Corrective Action and/or monitoring. Such releases and/or announcements shall be subject to the regular agency news release approval procedures.

E. Re-Classification

1) A news release and/or announcement may be published in a local newspaper announcing the reclassification of a site when the contaminated site has been successfully remediated (according to the final CAD) and has met the requirements of the Reclassification Plan (RCP). The project manager will determine the necessity for this news release.

## ATTACHMENT 1

### Format for Public Relations Strategy

- I. INTRODUCTION
2. BACKGROUND OF SITE
3. PIP ACTIVITIES
4. SCHEDULE (Tentative)

**PUBLIC RELATIONS STRATEGY  
FOR  
XYZ SITE - ABC, KANSAS**

**1.0 INTRODUCTION**

The purpose of a public relations strategy for the XYZ site is to establish guidelines for planning, scheduling and implementing a Public Information Program (PIP). The Kansas Department of Health and Environment (KDHE) in cooperation with PRP1, PRP2 and PRP3 will be responsible for implementation of the PIP.

**2.0 BACKGROUND**

The XYZ Site covers approximately 900 acres in a highly industrialized section of north ABC, CDE County. The approximate center of the site is the intersection of 1st and JKL streets. Contaminants that have been detected in significant concentrations in the ground water include, but are not limited to, trichloroethylene, carbon tetrachloride, toluene, benzene and dichloromethane. Investigations were conducted by KDHE and the U.S. Geological Survey from 1987 to 1989. The actual boundary and extent of contamination have not been clearly defined. An estimated 3,300 people obtain drinking water from public and private wells within a three mile radius of the site.

There are several potential industrial sources in the area which include both current operating facilities and other facilities which have ceased operations (former refinery operations). KDHE has identified three potential responsible parties (PRPs) associated with the contamination. In 1989, the PRPs organized the LMN PRP group and formed a steering committee to negotiate future investigation and remedial activities. In September of 1991 a Consent Order for a Comprehensive Investigation/Corrective Action Study (CI/CAS) was signed by the LMN Group and KDHE. The CI/CAS work plan was approved by KDHE on October 12, 1992.

**3.0 PUBLIC INFORMATION PROGRAM ACTIVITIES**

A news release, to announce the signature of the Consent Order and initiation of a CI/CAS will be published in the HIJ Chronicle.

An availability session will be scheduled by KDHE prior to initiation of field activities to: 1) describe past investigations at the site and 2) describe technical activities planned during the CI/CAS process. A news release, to announce the time, date, place and purpose of the meeting will be developed by KDHE.

KDHE will be responsible for providing notice of availability of the draft CAS report and the Draft Corrective Action Decision (CAD) Document. The notice, which announces the public comment period, will be published in the HIJ Chronicle. The period allowed for public comment will be thirty (30) days.

Before adoption of any corrective action, KDHE will conduct an availability session to: (1) discuss the results of the CAS, and (2) discuss the Draft CAD.

KDHE shall prepare responses to the comments received during the public comment period. A Final Agency CAD accompanied by a discussion of any significant changes in the CAD and copies of the response to comments will be made available to the public.

KDHE will make the Final Agency CAD available to the public for public review. A notice of the availability of the CAD will be published in the HIJ Chronicle and Kansas Register.

A news release, to announce the signature of the Consent Order and initiation of a Corrective Action Plan/Corrective Action (CAP/CA) will be published in the HIJ Chronicle.

A news release, to announce that the XYZ site has been successfully remediated will be published in the HIJ Chronicle upon KDHE approval of the RCP.

#### **4.0 PUBLIC INFORMATION PROGRAM SCHEDULE**

News Release..... within 15 days of signing CO  
Availability Session.....within 30 days of signing CO  
News Release..... within 15 days of preparing draft CAD  
Availability Session.....within the 30 day public comment period  
News Release.....within 15 days of approval Final Agency CAD  
News Release.....within 15 days of signing CO  
News Release.....within 30 days of approval of RCP

## ATTACHMENT 3

### Availability Session

1. INTRODUCTION OF STAFF
2. STATEMENT OF PURPOSE OF AVAILABILITY SESSION
3. BRIEFING OF ACTIVITY
4. QUESTIONS AND COMMENTS FROM PUBLIC
5. ADJOURNMENT

Sign-in sheet

Handouts (Fact Sheets)

Photos, Maps and Reports available for review

Evening Meetings (1-2 hours long)

Meeting places, times, etc. scheduled by AOII.



**Kansas Department of Health and Environment  
Division of Environment  
Bureau of Environmental Remediation**

**M E M O R A N D U M**

**DATE:** October 10, 1995

**TO:** Remedial Section Staff

**FROM:** Rick Bean, Chief, Remedial Section

**SUBJECT:** Public Information Program - Reminder

This memorandum is a reminder that policy RS 93-003, "Public Information Program" should be followed. To streamline the development of the PIP an example Public Relations Strategy has been developed (see attached).

**The Public Relations Strategy should be no more than two pages in length.**

Portions of the example Public Relations Strategy are "boilerplate"; meaning the text within the example should be used by completing the blanks. Boilerplate sections include: Section 1.0 and Section 2.0.

**Section 3.0 should contain concise statements describing the planned public information activities.**

Section 4.0 should provide a generic (flexible) schedule.

The language in the original policy states that all contaminated sites worked within the auspices of State Cooperative Program must have a PIP. My goal is to have a PIP developed for all State Deferral sites and sites with signed orders after the August 12, 1993 policy. Additionally, any new site under the State Cooperative Program must have a PIP. The Public Relations Strategy should be developed following the signing of the order/agreement.

Mercury sites are exempt from this policy although the project manager and respective company may consider some type of news release or public contact.